

The Honorable Richard A. Jones  
The Honorable James P. Donohue

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

KYLE LYDELL CANTY, )  
 )  
Plaintiff, )  
 ) No. 2:16-cv-01655-RAJ-JPD  
vs. )  
 )  
CITY OF SEATTLE, et. al., ) (PROPOSED) ORDER GRANTING  
 ) KING COUNTY DEFENDANTS'  
Defendants. ) MOTION FOR DISMISSAL UNDER  
 ) FRCP 37(d) AND LCR 41(b) AND  
 ) SUMMARY JUDGMENT

THIS MATTER, having come before the Court on the King County Defendants' Motions to Dismiss and Motion for Summary Judgment, pursuant to FRCP 37, 41 and 56, and the Court having considered the pleadings filed and the follow evidence filed herein, including:

1. King County Defendants' Motion;
2. Fourth Declaration of Samantha Kanner;
3. Plaintiffs Opposition to Summary Judgment, if any;
4. King County Defendants' Reply, if any;
5. And the records and pleadings filed in this matter.

1 Based on the evidence presented, the Court finds that the appropriate sanction for Plaintiff's  
2 failure to appear at his deposition is dismissal. Alternatively, the Court finds that there is no  
3 genuine issue of any material fact and the King County Defendants are entitled to judgment as a  
4 matter of law.

5 NOW, THEREFORE, IT IS HEREBY ORDERED that King County Defendants' Motions to  
6 Dismiss and for Summary Judgment are GRANTED and all of plaintiff's claims are dismissed  
7 with prejudice.

8 DONE this \_\_\_\_ day of \_\_\_\_\_, 2017.

9  
10 \_\_\_\_\_  
Honorable Richard A. Jones  
Honorable James P. Donohue  
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12 Presented by:

13 Daniel T. Satterberg  
14 King County Prosecuting Attorney

15 By: /s/Samantha D. Kanner  
SAMANTHA D. KANNER, WSBA # 36943  
16 Senior Deputy Prosecuting Attorney  
17 Attorneys for King County Defendants

18 Copy received:

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20 By: \_\_\_\_\_  
AMEE TILGER WSBA #34613  
Freimund Jackson & Tardif, PLLC  
21 Attorneys for City of Seattle Defendants

22  
23 By: \_\_\_\_\_  
KYLE LYDELL CANTY  
Plaintiff, pro se